

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Milton Thompson

Application No.: 10/550,821

Art Unit: 4147

Filed: August 11, 2006

Examiner: _____

Title: (Amended) SECURITY AUTHORIZATION SYSTEM

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

- Small entity-fee \$ **810.00 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.
- Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Amendment in Reply to First Office Action (identify type of reply):

has been filed previously on _____.

is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____.

has been paid previously on _____.

is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

Edwin D. Schindler

Type or Printed name

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Address

June 16, 2011

Date

31,459

Registration Number, If applicable

(631)474-5373

Telephone Number

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MILTON THOMPSON

ART UNIT: 4147

SERIAL NO.: 10/550,821

EXAMINER: NAOMI J. SMALL

FILED: SEPTEMBER 23, 2005

TITLE: SECURITY AUTHORISATION SYSTEM

**STATEMENT EXPLAINING UNINTENTIONAL DELAY
IN SUPPORT OF PETITION TO REVIVE, PURSUANT TO 37 C.F.R. §1.137(b)**

Hon. Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, MICHAEL R. HARRISON, a Chartered Patent Attorney registered in the United Kingdom and a European Patent Attorney authorized to practice before the European Patent Office, hereby declare that:

1. I am the United Kingdom Chartered Patent Attorney for the inventor of the above-identified U.S. patent application and render this *Statement* in support of Applicant's concurrently-filed *Petition to Revive* said U.S. patent application on the ground that the entire period of delay in responding to the outstanding first Office Action, dated July 21, 2009, was unintentional.

2. I was appointed by the inventor on or about August 2006 to take over the handling of his patent affairs and I asked the US attorney handling the application before the USPTO, Mr Michael B Stewart of Rader, Fishman & Grauer PLLC, to correspond with myself from that time.

3. I communicated with Mr Stewart in August 2007 concerning billing matters but otherwise there were no communications until the beginning of May 2011 when I sent an email to Mr Stewart to check the position with the application. I assumed that I had heard nothing because there was an examination backlog at the USPTO. I was surprised to be informed by Mr Stewart that he thought that the inventor had appointed a new firm of US Patent Attorneys to handle the application. He further informed me that a Notice of Abandonment had been issued in February 2010 and that I needed to take action quickly if the inventor wished to revive the application.

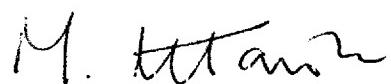
4. I immediately contacted another US patent attorney, Edwin D. Schindler, Reg. No. 31,459, and asked him to establish what had happened and advise me what action to take. Mr Schindler informed me that the Notice of Abandonment had been issued after no response had been filed to an Office Action which had been mailed on July 21, 2009. I had not received either the Office Action or the Notice of Abandonment and was unaware that they had been issued by the USPTO.

5. I asked Mr Schindler to further assist me in the preparation of a substantive reply to the outstanding Office Action, as well as a Petition to Revive, which includes

this supporting *Statement*. We proceeded to petition for the revival of the above-identified U.S. patent application as expeditiously as reasonably possible.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application to which this *Statement* is directed to or any patent issued thereon.

Dated: June 5, 2011



Michael R. Harrison. U.K. Chartered
Patent Attorney & European Patent Attorney